

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

WILLIAM HOOD and)
CHERYL HOOD,)
)
Plaintiffs,)
)
v.) CAUSE NO.: 2:17-CV-00333
)
JOHN V. PETERSON,) Jury Demand
)
Defendant.)

COMPLAINT FOR DAMAGES

INTRODUCTION

1. Plaintiff, WILLIAM HOOD, brings this Complaint against Defendant for injuries caused by Defendant's negligence while operating his vehicle. Plaintiff, CHERYL HOOD, brings this Complaint against Defendant for her loss of consortium for the injuries sustained by her husband, WILLIAM HOOD, caused by the negligence of the Defendant, JOHN V. PETERSON, while operating his vehicle on July 28, 2017 in Westchester, IN.

PARTIES and JURISDICTION

2. Plaintiffs, WILLIAM HOOD and CHERYL HOOD are citizens and residents of the State of Indiana, with their home address located at 898 N. 560E, Westville, IN.

3. Defendant, JOHN V. PETERSON, is a citizen and resident of the State of Florida, with his address at 13024 Pond Apple Drive W, Naples, FL.

4. The amount in controversy for this action exceeds \$75,000.00.

5. Jurisdiction of this Court is proper under 28 U.S.C. 1332.

CLAIMS FOR RELIEF

COUNT I NEGLIGENCE-WILLIAM HOOD

6. On July 28 2017, Plaintiff, WILLIAM HOOD, was driving a 2013 Harley Davidson Motorcycle southbound on SR49 in the township of Westchester, Porter County, Indiana, at or near its intersection with Oakhill Drive.

7. On July 28, 2017, Defendant, JOHN V. PETERSON, was driving a 1999 Mercedes Sedan motor vehicle northbound on SR49, and was in the process of making a left hand turn to go westbound on Oakhill Drive, in the township of Westchester, Porter County, Indiana.

8. While driving the 1999 Mercedes at the aforementioned time and place, defendant owed a duty of reasonable care in the operation of that vehicle in order to avoid colliding with, striking or contacting others on the roadway, including the motorcycle which Plaintiff was operating.

9. Notwithstanding that duty owed, at the aforementioned time and place, the defendant was negligent in the operation of his vehicle and collided with and struck Plaintiff, WILLIAM HOOD, while he was operating his motorcycle.

10. As a direct and proximate result of the carelessness and negligence of the Defendant, the Plaintiff, WILLIAM HOOD, sustained personal injuries, the effects of which will be permanent and lasting; has incurred hospital, doctor and medical expenses and will continue to incur hospital, doctor and medical expenses in the future; has incurred pain and suffering and a loss of the enjoyment of his life and will continue to incur pain and suffering and loss of the enjoyment of his life in the future; all of which damages are in an amount yet uncertain, but exceed \$75,000.00.

11. As a further direct and proximate result of the carelessness and negligence of the

Defendant, the Plaintiff, has also incurred lost wages and will continue to incur lost wages in the future.

COUNT II LOSS OF CONSORTIUM-CHERYL HOOD

12. Plaintiff, CHERYL HOOD, adopts and re-alleges Paragraphs One (1) through Eleven (11) of Count One of this Complaint at Law as Paragraphs One (1) through Eleven (11) inclusive of this Count Two, as though fully set forth herein.

13. Prior to and on the date of this occurrence, Plaintiff CHERYL HOOD was legally married to WILLIAM HOOD, and resided in the same household as him. WILLIAM HOOD provided CHERYL HOOD with financial, parenting, and household support, as well as providing her with love, companionship, affection, society and moral support.

14. As a direct and proximate result of the carelessness and negligence of the Defendant, the Plaintiff, CHERYL HOOD has been deprived and will be permanently deprived of the consortium of her husband, all to Plaintiff's damage, in a total amount to be established by proof at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs prays for judgment against Defendant as follows:

- A. Economic and non-economic damages in an amount as provided by law and to be supported by the evidence at trial;
- B. For compensatory damages, according to proof;
- C. For an award of attorneys' fees and costs; and
- D. For such other and further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demands a trial by jury as to all claims in this action.

Submitted by:

/s/ Daniel H. Pfeifer
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